

Message Text

UNCLASSIFIED

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ACTION ARA-14

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FM AMEMBASSY LA PAZ
TO SECSTATE WASHDC PRIORITY 8245

UNCLAS LA PAZ 9436

FOR: SCS, ARA/AND/B

E.O. 11652: N/A
TAGS: BL, CARR
SUBJECT: AMERICAN PRISONERS IN BOLIVIA

REF: (A) STATE 279352 (B) LA PAZ 8113

1. TIME SPENT IN INCARCERATION IS COUNTED FROM DATE OF ARREST NOT RPT NOT ENTRY INTO PRISON FACILITY. THIS ISSUE WAS CONFRONTED IN THE JUDGE'S DECISION TO GRANT BOGGESS AND KLOEHN CONDITIONAL LIBERTY. THE JUDGE RULED THAT THE TWO AMERICANS WERE ELIGIBLE TO RECEIVE CONDITIONAL LIBERTY BASED ON THE DATE OF ARREST. HE IGNORED ARGUMENTS FROM THE PROSECUTING ATTORNEY THAT THE TWO-THIRDS TIME REQUIRED FOR CONDITIONAL LIBERTY SHOULD BE COUNTED FROM THE INITIAL DATE THE CASE WENT BEFORE THE JUDGE.

2. ISSUE WAS DISCUSSED IN PARA 3 OF REFTEL (B). REFTEL STATED THAT ALTHOUGH TIME SPENT IN INCARCERATION WAS LEGALLY COUNTED FROM THE DAY ON WHICH A JUDGE ORDERED IMPRISONMENT OF A SUSPECT (THE INITIAL DATE THE CASE WENT BEFORE A COURT), THE EMBASSY'S LEGAL ADVISERS WERE AWARE THAT A CIRCULAR WAS BEING PASSED AMONG THE LOWER COURT JUDGES ASKING THAT THEY USE THE DATE OF ARREST FOR COMPUTING THE TIME REQUIRED FOR CONDITIONAL LIBERTY.
BOEKER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
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Sent Date: 23-Nov-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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From: LA PAZ
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